



General Assembly

February Session, 2004

Amendment

LCO No. 5127

SB0002705127HRO

Offered by:

REP. HAMZY, 78th Dist.

To: Subst. Senate Bill No. 27

File No. 545

Cal. No. 512

"AN ACT CONCERNING EFFICIENCIES OF THE DEPARTMENT OF MOTOR VEHICLES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 14-164c of the general statutes, as amended by
4 sections 27 and 28 of public act 03-19, is repealed and the following is
5 substituted in lieu thereof (*Effective July 1, 2006*):

6 [(a)] No person shall fail to maintain in good working order or
7 remove, dismantle or otherwise cause to be inoperative any equipment
8 or feature constituting an operational element of the air pollution
9 control system or mechanism of a motor vehicle required by
10 regulations of the Commissioner of Environmental Protection to be
11 maintained or on the vehicle. Any such failure to maintain in good
12 working order or removal, dismantling or causing of inoperability
13 shall subject the owner thereof to revocation of registration for such
14 vehicle by the Commissioner of Motor Vehicles unless all parts and
15 equipment constituting elements of air pollution control have been

16 made operable and in good working order within thirty days of notice
17 by said commissioner of such violation. [Any such failure shall be
18 considered a failure to comply with the periodic inspection
19 requirements established under subsection (c) of this section.] As used
20 in this section, motor vehicle shall have the same meaning as is
21 provided in section 14-1, as amended.

22 [(b) The Commissioner of Environmental Protection shall consult
23 with the Commissioner of Motor Vehicles and furnish the
24 commissioner with technical information, including testing techniques,
25 standards and instructions for emission control features and
26 equipment. The Commissioner of Environmental Protection shall
27 furnish the Commissioner of Motor Vehicles with emission standards
28 for all motor vehicles subject to the inspection and maintenance
29 requirements. Such standards shall be consistent with provisions of
30 federal law, if any, relating to control of emissions from the vehicles
31 concerned or any regulations adopted by the Commissioner of
32 Environmental Protection which implement the low-emission vehicle
33 and clean fuels regulations adopted by the state of California, as
34 amended. Such standards shall be periodically reviewed by the
35 Commissioner of Environmental Protection and revised, if necessary,
36 to achieve the objectives of the vehicle emission inspection program.

37 (c) The commissioner shall adopt regulations, in accordance with
38 chapter 54, to implement the provisions of this section. Such
39 regulations shall include provision for a periodic inspection of air
40 pollution control equipment and compliance with or waiver of exhaust
41 emission standards or compliance with or waiver of on-board
42 diagnostic standards or other standards defined by the Commissioner
43 of Environmental Protection and approved by the Administrator of the
44 United States Environmental Protection Agency, compliance with or
45 waiver of, air pollution control system integrity standards defined by
46 the Commissioner of Environmental Protection and compliance with
47 or waiver of purge system standards defined by the Commissioner of
48 Environmental Protection. Such regulations may provide for an
49 inspection procedure using an on-board diagnostic information system

50 for all 1996 model year and newer motor vehicles. Such regulations
51 shall apply to all motor vehicles registered or which will be registered
52 in this state except: (1) Vehicles having a gross weight of more than ten
53 thousand pounds; (2) vehicles powered by electricity; (3) bicycles with
54 motors attached; (4) motorcycles; (5) vehicles operating with a
55 temporary registration; (6) vehicles manufactured twenty-five or more
56 years ago; (7) new vehicles at the time of initial registration; (8)
57 vehicles registered but not designed primarily for highway use; (9)
58 farm vehicles, as defined in subsection (q) of section 14-49; (10)
59 antique, rare or special interest motor vehicles, as defined in section 14-
60 1; (11) diesel-powered type II school buses; or (12) a vehicle operated
61 by a licensed dealer or repairer either to or from a location of the
62 purchase or sale of such vehicle or for the purpose of obtaining an
63 official emissions or safety inspection. On and after July 1, 2002, such
64 regulations shall exempt from the periodic inspection requirement any
65 vehicle four or less model years of age, beginning with model year
66 2003 and the previous three model years, provided that such
67 exemption shall lapse upon a finding by the Administrator of the
68 United States Environmental Protection Agency or by the Secretary of
69 the United States Department of Transportation that such exemption
70 causes the state to violate applicable federal environmental or
71 transportation planning requirements. Notwithstanding any
72 provisions of this subsection, the commissioner may require an initial
73 emissions inspection and compliance or waiver prior to registration of
74 a new motor vehicle. If the Commissioner of Environmental Protection
75 finds that it is necessary to inspect motor vehicles which are exempt
76 under subdivision (1) or (4) of this subsection, or motor vehicles that
77 are four or less model years of age in order to achieve compliance with
78 federal law concerning emission reduction requirements, the
79 Commissioner of Motor Vehicles may adopt regulations, in accordance
80 with the provisions of chapter 54, to require the inspection of
81 motorcycles, designated motor vehicles having a gross weight of more
82 than ten thousand pounds or motor vehicles four or less model years
83 of age.

84 (d) No motor vehicle subject to the inspection requirements of this
85 section shall be operated upon the highways of this state unless such
86 vehicle has been presented for inspection in accordance with a
87 schedule for inspection and compliance as established by the
88 commissioner. The commissioner shall grant waivers from compliance
89 with standards for vehicles which fail any required inspection and
90 require an unreasonable cost of repair to bring the vehicle into
91 compliance. The commissioner may determine compliance of a vehicle
92 that has failed an emissions retest by means of a complete physical and
93 functional diagnosis and inspection of the vehicle, in accordance with
94 the provisions of 40 CFR Part 51.360, showing that no additional
95 emissions-related repairs are needed. An extension of time, not to
96 exceed the period of inspection frequency, may be granted to obtain
97 needed repairs on a vehicle in the case of economic hardship of the
98 owner. Only one such extension may be granted for any vehicle. The
99 commissioner may design a sticker to be affixed to the windshield of
100 each vehicle which shall bear the date of expiration of the assigned
101 inspection period on both sides. The commissioner may also design a
102 sticker to be affixed to the windshield of each vehicle that is exempt
103 from the requirements of this chapter, which sticker shall bear the date,
104 if any, on which such vehicle is no longer exempt and is required to be
105 presented for inspection. As used in this section, "unreasonable cost of
106 repair" means cost of repair in excess of the amounts required to be
107 expended by Title 40, Part 51.360 of the Code of Federal Regulations,
108 as amended.

109 (e) In order to provide for emissions inspection facilities, the
110 commissioner may enter into a negotiated inspection agreement or
111 agreements, notwithstanding chapters 50, 58, 59 and 60, with an
112 independent contractor or contractors, to provide for the leasing,
113 construction, equipping, maintenance or operation of a system of
114 official emissions inspection stations in such numbers and locations as
115 may be required to provide vehicle owners reasonably convenient
116 access to inspection facilities. The commissioner may employ such
117 system and the services of such contractor or contractors to conduct

118 safety inspections as provided by section 14-16a, subsection (g) of
119 section 14-12 and section 14-103a. Such contractor or contractors, with
120 the approval of the commissioner, may operate inspection stations at
121 suitable locations owned or operated by other persons, firms or
122 corporations, including retail business establishments with adequate
123 facilities to accommodate and to perform inspections on motor
124 vehicles. The commissioner is prohibited from entering into an
125 inspection agreement with any independent contractor who: (1) Is
126 engaged in the business of maintaining or repairing vehicles in this
127 state, except that the independent contractor shall not be precluded
128 from maintaining or repairing any vehicle owned or operated by the
129 independent contractor; or (2) does not have the capability, resources
130 or technical and management skill to adequately conduct, equip,
131 operate and maintain a sufficient number of official emissions
132 inspection stations. All persons employed by the independent
133 contractor in the performance of an inspection agreement are deemed
134 to be employees of the independent contractor and not of this state.
135 The inspection agreement or agreements authorized by this section
136 shall be subject to other provisions as follows: (A) Minimum
137 requirements for staff, equipment, management and hours and place
138 of operation of official emissions inspection stations including such
139 additional testing facilities as may be established and operated in
140 accordance with subsection (g) of this section; (B) reports and
141 documentation concerning the operation of official emissions
142 inspection stations and additional testing facilities as the commissioner
143 may require; (C) surveillance privileges for the commissioner to ensure
144 compliance with standards, procedures, rules, regulations and laws;
145 and (D) any other provision deemed necessary by the commissioner
146 for the administration of the inspection agreement. Nothing in the
147 inspection agreement shall require the state to purchase any asset or
148 assume any liability if such agreement is not renewed.

149 (f) (1) The commissioner may authorize and appoint any motor
150 vehicle dealer or repairer that is licensed in accordance with the
151 provisions of subpart (D) of part III of chapter 246 and that has the

152 qualifications established by the commissioner to conduct emissions
153 inspections in a designated area of its licensed premises and to report
154 the results thereof to the Department of Motor Vehicles, provided such
155 licensee signs a statement that such licensee understands the
156 provisions of this section and regulations adopted under authority of
157 this section, understands the necessity to comply with administrative
158 and technical directives and advisories that the commissioner issues
159 and understands that any failure by such licensee to comply with this
160 section, the regulations or the directives or advisories constitutes
161 grounds for the commissioner to suspend or revoke the authority for
162 such licensee to conduct inspections.

163 (2) Each such licensee shall conduct an emissions inspection of any
164 registered motor vehicle requiring such an inspection at any time
165 during its normal and posted hours of operation or, at the discretion of
166 the commissioner, at a predetermined or appointed time, when such
167 motor vehicle is presented for inspection. No such licensee shall charge
168 any fee for the inspection except the fee authorized by subsection (k) of
169 this section. The results of each emissions inspection performed in
170 accordance with this subsection shall be evidenced by a written vehicle
171 inspection report, containing such information and certification by the
172 inspecting licensee as the commissioner shall prescribe. The licensee
173 shall furnish a copy of such inspection report to the operator of the
174 motor vehicle at the time of completion of the inspection.

175 (3) No such licensee may be appointed by the commissioner nor
176 may any such licensee conduct any inspection unless the licensee has
177 in its employ one or more certified emissions inspectors and repair
178 technicians. Such inspectors and technicians shall conduct all
179 inspections and related emissions repair work and shall meet the
180 training and certification requirements in 40 CFR Part 51.367 and of the
181 regulations adopted by the commissioner in accordance with this
182 subsection.

183 (4) The commissioner may suspend or revoke the authority to
184 conduct emissions inspections by any such licensee that is authorized

185 to conduct emissions inspections if the licensee fails to comply with the
186 provisions of this section, regulations adopted under authority of this
187 section, or administrative or technical directives or advisories that the
188 commissioner issues.

189 (5) The commissioner shall adopt regulations, in accordance with
190 chapter 54, to establish the qualifications for such licensees to be
191 authorized and appointed to conduct emissions inspections, and to
192 establish standards and procedures for such inspections, reporting
193 requirements by such licensees and training and certification
194 requirements for inspectors and repair technicians.

195 (g) The independent contractor or contractors retained by the state
196 in accordance with the provisions of subsection (e) of this section may
197 conduct emissions inspections at one or more facilities owned or
198 operated by a motor vehicle dealer or dealers, licensed in accordance
199 with section 14-52. No such inspection facility located on the premises
200 of a licensed dealer shall be operated without the prior approval of the
201 commissioner. The operation of each such facility shall be subject to
202 such procedures and requirements, to be followed by the contractor
203 and the licensee, as may be prescribed by the terms and conditions of
204 the contract entered into in accordance with the provisions of
205 subsection (e) of this section, and in regulations as may be adopted by
206 the commissioner in accordance with chapter 54. The state shall not be
207 a party to, or assume or incur any liability of any kind under, any
208 agreement entered into between the independent contractor and any
209 dealer in furtherance of the provisions of this subsection. The contract
210 or contracts entered into by the state in accordance with the provisions
211 of subsection (e) of this section shall provide for indemnification of the
212 state with respect to the operation of any such inspection facility
213 located at a motor vehicle dealership, in the same manner and to the
214 same extent as the operation of an official emissions inspection station.

215 (h) In order to provide for management and oversight of emissions
216 inspection facilities established in accordance with subsection (e) of
217 this section and to establish and maintain necessary electronic data

218 capture and reporting systems for such facilities and for licensed
219 dealers and repairers who may be authorized to perform inspections in
220 accordance with the provisions of subsection (f) of this section, the
221 commissioner may enter into a negotiated personal service agreement
222 or agreements, in accordance with the provisions of chapter 55a, with
223 any qualified person, firm or corporation. The responsibilities of any
224 such contractor retained by the commissioner shall include, but need
225 not be limited to, the following: (1) Review and analysis of data from
226 all official emissions inspections performed, and provision to the
227 commissioner of recommendations to improve the quality and
228 integrity of such data, (2) provision of program information and
229 standards to inspection facilities and locations, (3) provision to the
230 commissioner of regular reports, assessments and recommendations to
231 maintain or improve the effectiveness, efficiency, quality and integrity
232 of such inspection operations, and (4) identification of measures to
233 enhance public convenience, and compliance with the inspection
234 requirements. No such contractor retained in accordance with the
235 provisions of this subsection may be licensed as, or have any financial
236 interest in any firm engaged in the business of selling or repairing
237 motor vehicles, or may be a provider of emissions inspection
238 equipment or facilities to the state.

239 (i) The commissioner may license an owner or operator of a fleet of
240 motor vehicles which are subject to emissions inspection pursuant to
241 subsection (c) of this section or section 14-164i, to establish a fleet
242 emissions inspection station, provided that the fleet owner or operator
243 conforms with regulations for fleet emissions inspection stations
244 adopted by the commissioner which shall specify the classes or other
245 characteristics of vehicles eligible for inspection at such stations.

246 (j) The commissioner may establish a program for the on-road
247 testing of motor vehicles subject to this chapter. The program shall test
248 not less than one-half of one per cent of the subject fleet state-wide or
249 twenty thousand vehicles, whichever is less, per inspection cycle under
250 conditions of highway operation in order to provide information
251 concerning the emission performance of such in-use vehicles. Testing

252 may be performed by means of remote sensing devices, or roadside
253 pullovers followed by tailpipe emissions testing using a suitable,
254 portable device and recording system. Owners of vehicles that have
255 previously been through scheduled periodic inspection and passed,
256 and are found by on-road testing to be high emitters, in accordance
257 with the standards established under subsection (b) of this section and
258 the regulations adopted under subsection (c) of this section, may be
259 notified that their vehicles are required to pass an out-of-cycle follow-
260 up inspection at an inspection station. Notification may be made by
261 mailing in the case of remote sensing on-road testing or through
262 immediate notification if roadside pullovers are used. The
263 commissioner may use the services of the independent contractor or
264 contractors to implement the on-road testing program. If a method of
265 roadside pullovers is used in the program, such method shall be
266 employed with due regard to traffic safety considerations and
267 performed with the assistance of inspectors of the Department of
268 Motor Vehicles or members of state or municipal police forces.

269 (k) (1) The commissioner, with approval of the Secretary of the
270 Office of Policy and Management, shall establish, and from time to
271 time modify, the inspection fees, not to exceed ten dollars per annual
272 inspection or twenty dollars for each biennial inspection or
273 reinspection required pursuant to this chapter for inspections
274 performed at official emissions inspection stations. Such fees shall be
275 paid in a manner prescribed by the commissioner. If the costs to the
276 state of the emissions inspection program, including administrative
277 costs and payments to any independent contractor, exceed the income
278 from such fees, such excess costs shall be borne by the state. Any
279 person whose vehicle has been inspected at an official emissions
280 inspection station shall, if such vehicle is found not to comply with any
281 required standards, have the vehicle repaired and have the right
282 within thirty consecutive calendar days to return such vehicle to the
283 same official emissions inspection station for one reinspection without
284 charge, provided, where the thirtieth day falls on a Sunday, legal
285 holiday or a day on which the commissioner has established that

286 special circumstances or conditions exist that have caused emissions
287 inspection to be impracticable, such person may return such vehicle for
288 reinspection on the next day. The commissioner shall assess a late fee
289 of twenty dollars for the emissions inspection of a motor vehicle
290 performed at an official emissions inspection station later than thirty
291 days after the expiration date of the assigned inspection period
292 provided the commissioner may waive such late fee when it is proven
293 to the commissioner's satisfaction that the failure to have the vehicle
294 inspected within thirty days of the assigned inspection period was due
295 to exigent circumstances. If ownership of the motor vehicle has been
296 transferred subsequent to the expiration date of the assigned
297 inspection period and the new owner has such motor vehicle inspected
298 within thirty days of the registration of such motor vehicle, the
299 commissioner shall waive the late fee. If the thirtieth day falls on a
300 Sunday, legal holiday or a day on which the commissioner has
301 established that special circumstances or conditions exist that have
302 caused emissions inspection to be impracticable, such vehicle may be
303 inspected on the next day and no late fee shall be assessed.

304 (2) If the commissioner authorizes a licensed dealer or repairer to
305 conduct emissions inspections of 1996 model year and newer vehicles
306 required by this chapter, the commissioner may authorize such
307 licensee to charge a fee, not to exceed twenty dollars for each biennial
308 inspection or reinspection.

309 (3) Upon the registration of each new motor vehicle subject to the
310 inspection requirements of this chapter, or of each motor vehicle that is
311 four or less model years of age that has not been registered previously
312 in this state, the commissioner shall issue a sticker indicating the
313 exempt status of such motor vehicle and the date on which the motor
314 vehicle is scheduled to be presented for inspection. Such sticker shall
315 be displayed on the motor vehicle in accordance with subsection (d) of
316 this section. On and after July 1, 2002, the commissioner shall charge a
317 fee of forty dollars in addition to any other fees required for such
318 registration. All receipts from the payment of such fee shall be
319 deposited in the Special Transportation Fund.

320 (l) The commissioner may acquire in the name of the state by
321 purchase, lease, gift, devise or otherwise any special equipment, tools,
322 materials or facilities needed to adequately administer, investigate or
323 enforce the provisions of this chapter.

324 (m) A person shall not in any manner represent any place to be an
325 official emissions inspection station unless such station has been
326 established and is operated in accordance with the provisions of this
327 section.

328 (n) No person, firm or corporation shall operate or allow to be
329 operated any motor vehicle that has not been inspected and found to
330 be in compliance with the provisions of subsections (c), (d) and (i) of
331 this section and the regulations adopted by the commissioner.
332 Operation in violation of said subsections or the regulations adopted
333 by the commissioner shall be an infraction for each violation, except
334 that the fine for a first violation shall be thirty-five dollars. The
335 commissioner may deny the issuance of registration to the owner of a
336 motor vehicle, or the renewal of registration to any such owner, or
337 suspend any registration that has been issued, if such motor vehicle is
338 not in compliance with the inspection requirements of this chapter.]

339 Sec. 502. Subsection (b) of section 13b-61 of the general statutes, as
340 amended by section 20 of public act 03-4 of the June 30 special session,
341 is repealed and the following is substituted in lieu thereof (*Effective July*
342 *1, 2006*):

343 (b) Notwithstanding any provision of subsection (a) of this section
344 to the contrary, there shall be paid promptly to the State Treasurer and
345 thereupon, unless required to be applied by the terms of any lien,
346 pledge or obligation created by or pursuant to the 1954 declaration,
347 part III (C) of chapter 240, credited to the Special Transportation Fund:

348 (1) On and after July 1, 1984, all moneys received or collected by the
349 state or any officer thereof on account of, or derived from, sections 12-
350 458 and 12-479, provided the State Comptroller is authorized to record
351 as revenue to the General Fund for the fiscal year ending June 30, 1984,

352 the amount of tax levied in accordance with said sections 12-458 and
353 12-479, on all fuel sold or used prior to the end of said fiscal year and
354 which tax is received no later than July 31, 1984;

355 (2) On and after July 1, 1984, all moneys received or collected by the
356 state or any officer thereof on account of, or derived from, motor
357 vehicle receipts;

358 (3) On and after July 1, 1984, all moneys received or collected by the
359 state or any officer thereof on account of, or derived from, (A)
360 subsection (a) of section 14-192, and (B) royalty payments for retail
361 sales of gasoline pursuant to section 13a-80, as amended;

362 (4) On and after July 1, 1985, all moneys received or collected by the
363 state or any officer thereof on account of, or derived from, license,
364 permit and fee revenues as defined in section 13b-59, as amended,
365 except as provided under subdivision (3) of this subsection;

366 (5) On or after July 1, 1989, all moneys received or collected by the
367 state or any officer thereof on account of, or derived from, section 13b-
368 70, as amended;

369 (6) On and after July 1, 1984, all transportation-related federal
370 revenues of the state;

371 (7) On and after July 1, 1997, all moneys received or collected by the
372 state or any officer thereof on account of, or derived from, fees for the
373 relocation of a gasoline station under section 14-320;

374 (8) On and after July 1, 1997, all moneys received or collected by the
375 state or any officer thereof on account of, or derived from, section 14-
376 319;

377 (9) On and after July 1, 1997, all moneys received or collected by the
378 state or any officer thereof on account of, or derived from, fees
379 collected pursuant to section 14-327b, as amended, for motor fuel
380 quality registration of distributors;

381 (10) On and after July 1, 1997, all moneys received or collected by
382 the state or any officer thereof on account of, or derived from, annual
383 registration fees for motor fuel dispensers and weighing or measuring
384 devices pursuant to section 43-3, as amended;

385 (11) On and after July 1, 1997, all moneys received or collected by
386 the state or any officer thereof on account of, or derived from, fees for
387 the issuance of identity cards pursuant to section 1-1h, as amended;

388 (12) On and after July 1, 1997, all moneys received or collected by
389 the state or any officer thereof on account of, or derived from, safety
390 fees pursuant to subsection (w) of section 14-49, as amended;

391 [(13) On and after July 1, 1997, all moneys received or collected by
392 the state or any officer thereof on account of, or derived from, late fees
393 for the emissions inspection of motor vehicles pursuant to subsection
394 (k) of section 14-164c;]

395 [(14)] ~~(13)~~ On and after July 1, 1997, all moneys received or collected
396 by the state or any officer thereof on account of, or derived from, the
397 sale of information by the Commissioner of Motor Vehicles pursuant
398 to subsection (b) of section 14-50a, as amended;

399 [(15)] ~~(14)~~ On and after October 1, 1998, all moneys received by the
400 state or any officer thereof on account of, or derived from, section 14-
401 212b; and

402 [(16)] ~~(15)~~ On and after July 1, 2003, and up to and including June
403 30, 2036, all moneys received or collected by the state or any officer
404 thereof on account of, or derived from, the incremental revenues
405 generated pursuant to sections 1-1h, as amended, 14-35, as amended,
406 14-44i, as amended, 14-47, as amended, 14-48b, as amended, 14-49, as
407 amended, 14-50, as amended, 14-66, as amended, 14-67, as amended,
408 and 14-381, as amended, and revenues specified in sections 113 and
409 114 of public act 03-1 of the June 30 special session* shall be deposited
410 into the Transportation Strategy Board projects account, established
411 under section 113 of public act 03- of the June 30 special session, of the

412 Infrastructure Improvement Fund and shall be used to support the
413 funding of the projects and purposes described in section 3 of [this act]
414 public act 03-4 of the June 30 special session.

415 Sec. 503. Subdivision (1) of subsection (a) of section 22a-6b of the
416 general statutes is repealed and the following is substituted in lieu
417 thereof (*Effective July 1, 2006*):

418 (1) For failure to file any registration, other than a registration for a
419 general permit, for failure to file any plan, report or record, or any
420 application for a permit, for failure to obtain any certification, for
421 failure to display any registration, permit or order, or file any other
422 information required pursuant to any provision of section 14-100b₂ [or
423 14-164c,] subdivision (3) of subsection (b) of section 15-121, section 15-
424 171, 15-172, 15-175, 22a-5, 22a-6, as amended, 22a-7, 22a-32, 22a-39 or
425 22a-42a, as amended, 22a-45a, chapter 441, sections 22a-134 to 22a-
426 134d, inclusive, as amended, subsection (b) of section 22a-134p, section
427 22a-171, 22a-174, as amended, 22a-175, 22a-177, 22a-178, 22a-181, 22a-
428 183, 22a-184, 22a-208, 22a-208a, 22a-209, 22a-213, 22a-220, 22a-231, 22a-
429 336, 22a-342, as amended, 22a-345, 22a-346, 22a-347, 22a-349a, 22a-
430 354p, 22a-358, 22a-359, 22a-361, as amended, 22a-362, 22a-368, 22a-401
431 to 22a-405, inclusive, 22a-411, 22a-416, 22a-417, 22a-424 to 22a-433,
432 inclusive, 22a-447, 22a-449, as amended, 22a-450, 22a-451, 22a-454, as
433 amended, 22a-458, 22a-461, 22a-462 or 22a-471, or any regulation, order
434 or permit adopted or issued thereunder by the commissioner, and for
435 other violations of similar character as set forth in such schedule or
436 schedules, no more than one thousand dollars for said violation and in
437 addition no more than one hundred dollars for each day during which
438 such violation continues.

439 Sec. 504. Section 22a-9 of the general statutes is repealed and the
440 following is substituted in lieu thereof (*Effective July 1, 2006*):

441 The commissioner shall act as the official agent of the state in all
442 matters affecting the purposes of this title and sections 2-20a, 5-238a,
443 subsection (c) of section 7-131a, sections 7-131e, 7-131f, subsection (a)

444 of section 7-131g, sections 7-131i, 7-131l, subsection (a) of section 10-
445 320b, as amended, subdivisions (51) and (52) of section 12-81, as
446 amended, subdivisions (21) and (22) of section 12-412, as amended,
447 subsections (a) and (b) of section 13a-94, sections 13a-142a, as
448 amended, 13b-56, 13b-57, 14-100b, [14-164c,] chapter 268, sections 16a-
449 103, 22-91c, 22-91e, subsections (b) and (c) of section 22a-148, as
450 amended, section 22a-150, as amended, subdivisions (2) and (3) of
451 section 22a-151, sections 22a-153, 22a-154, 22a-155, 22a-156, 22a-158,
452 chapter 446c, sections 22a-295, 22a-300, 22a-308, 22a-416, chapters 446h
453 to 446k, inclusive, chapters 447 and 448, sections 23-35, 23-37a, 23-41,
454 chapter 462, section 25-34, chapter 477, subsection (b) of section 25-128,
455 as amended, subsection (a) of section 25-131, chapters 490 and 491 and
456 sections 26-257, as amended, 26-297, 26-303 and 47-46a, under any
457 federal laws now or hereafter to be enacted and as the official agent of
458 any municipality, district, region or authority or other recognized legal
459 entity in connection with the grant or advance of any federal or other
460 funds or credits to the state or through the state, to its political
461 subdivisions.

462 Sec. 505. Section 22a-171 of the general statutes is repealed and the
463 following is substituted in lieu thereof (*Effective July 1, 2006*):

464 The commissioner shall (1) initiate and supervise programs for the
465 purposes of determining the causes, effect and hazards of air pollution;
466 (2) initiate and supervise state-wide programs of air pollution control
467 education; (3) cooperate with and receive money from the federal
468 government and, with the approval of the Governor, from any other
469 public or private source; (4) adopt, amend, repeal and enforce
470 regulations as provided in section 22a-174, as amended, and do any
471 other act necessary to enforce the provisions of this chapter; [and
472 section 14-164c;] (5) advise and consult with agencies of the United
473 States, agencies of the state, political subdivisions and industries and
474 any other affected groups in furtherance of the purposes of this
475 chapter.

476 Sec. 506. Subsections (c) and (d) of section 22a-174 of the general

477 statutes are repealed and the following is substituted in lieu thereof
478 (*Effective July 1, 2006*):

479 (c) The commissioner shall have the power, in accordance with
480 regulations adopted by him, (1) to require that a person, before
481 undertaking the construction, installation, enlargement or
482 establishment of a new air contaminant source specified in the
483 regulations adopted under subsection (a), submit to him plans,
484 specifications and such information as he deems reasonably necessary
485 relating to the construction, installation, enlargement, or establishment
486 of such new air contaminant source; (2) to issue a permit approving
487 such plans and specifications and permitting the construction,
488 installation, enlargement or establishment of the new air contaminant
489 source in accordance with such plans, or to issue an order requiring
490 that such plans and specifications be modified as a condition to his
491 approving them and issuing a permit allowing such construction,
492 installation, enlargement or establishment in accordance therewith, or
493 to issue an order rejecting such plans and specifications and
494 prohibiting construction, installation, enlargement or establishment of
495 a new air contaminant source in accordance with the plans and
496 specifications submitted; (3) to require periodic inspection and
497 maintenance of combustion equipment and other sources of air
498 pollution; (4) to require any person to maintain such records relating to
499 air pollution or to the operation of facilities designed to abate air
500 pollution as he deems necessary to carry out the provisions of this
501 chapter; [and section 14-164c;] (5) to require that a person in control of
502 an air contaminant source specified in the regulations adopted under
503 subsection (a), obtain a permit to operate such source if the source (A)
504 is subject to any regulations adopted by the commissioner concerning
505 high risk hazardous air pollutants, (B) burns waste oil, (C) is allowed
506 by the commissioner, pursuant to regulations adopted under
507 subsection (a), to exceed emission limits for sulfur compounds, (D) is
508 issued an order pursuant to section 22a-178, or (E) violates any
509 provision of this chapter, or any regulation, order or permit adopted or
510 issued thereunder; (6) to require that a person in control of an air

511 contaminant source who is not required to obtain a permit pursuant to
512 this subsection register with him and provide such information as he
513 deems necessary to maintain his inventory of air pollution sources and
514 the commissioner may require renewal of such registration at intervals
515 he deems necessary to maintain such inventory; (7) to require a permit
516 for any source regulated under the federal Clean Air Act Amendments
517 of 1990, P.L. 101-549; (8) to refuse to issue a permit if the
518 Environmental Protection Agency objects to its issuance in a timely
519 manner under Title V of the federal Clean Air Act Amendments of
520 1990; and (9) notwithstanding any regulation adopted under this
521 chapter, to require that any source permitted under Title V of the
522 federal Clean Air Act Amendments of 1990 shall comply with all
523 applicable standards set forth in the Code of Federal Regulations, Title
524 40, Parts 51, 52, 59, 60, 61, 63, 68, 70, 72 to 78, inclusive, and 82, as
525 amended from time to time.

526 (d) The commissioner shall have all incidental powers necessary to
527 carry out the purposes of this chapter. [and section 14-164c.]"